



INTERNATIONAL CATHOLIC MIGRATION COMMISSION

JOINT VOLUNTARY AGENCY FOR U.S. ORDERLY DEPARTURE PROGRAM, AMERICAN EMBASSY
127 PANJABHUM BUILDING, SATHORN TAI ROAD, BANGKOK 10120 TEL. 252-5040 EXT. ODP

FACSIMILE COVER SHEET

DATE: September 26, 1994

PLEASE DELIVER THE FOLLOWING PAGES TO:

TO: Ngoc-Anh Davis/Senior Case Manager
Diocese Of Arlington, Office of Resettlement

FAX#:

FROM: ~~Robert~~/Myers/ODP

FAX#:

Total number of pages including cover sheet: 1

COMMENTS/MESSAGES:

Refer to your fax of August 8, 1994

Re: IV-33182/H27-600, Dinh Kim Chau (2 pax)

The referenced applicants were interviewed by a U.S immigration officer under ODP's sub-program for former re-education center detainees on March 23, 1994 in Ho Chi Minh City. Their refugee resettlement application was denied because Dinh Kim Chau spent less than three years in re-education centers. The training has received was in the Philippines, not in the U.S. Accordingly, the note on form INS-1 was written as "less than three years, training".

Applicants who spent one year in a re-education center and received training in the U.S. under U.S. government auspices are eligible for an ODP refugee interview. While INS previously acknowledged training "outside Vietnam", current INS policy stipulates that any training must have taken place in the U.S. under U.S. government auspices. There is no minimum time period specified for training.

We hope this information will be helpful to you in responding to Mr. Dinh Kim Chau.

EH/JSJ

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DIOCESE OF ARLINGTON

80 North Glebe Road • Arlington, VA 22203



OFFICE OF RESETTLEMENT

Lower Level • Tel: (703) 524-2130 • Fax (703) 524-2741

August 8, 1994

To: Mr. William Noyes
Program Officer
Department of State/ PRM
Room 1200-SA-1
Washington D.C 20524

Re: Mr. Dinh Kim Chau
Family of 2
IV# 33182

Dear Mr. Noyes,

I am writing on behalf of Mr. Dinh Kim Chau who applied for resettlement in the U.S under the Refugee Program through the Orderly Departure Program (ODP) office in Bangkok, Thailand.

On March 23, 1994, Mr. Chau and his wife Hoa Kim Thi Pham were seen by an Immigration and Naturalization Service (INS) officer and were denied an interview because they were found ineligible because of "less than three years of training". I sincerely believe this was a misapplication of the regulations on the part of the INS officer. In a June 1994 ODP's notice reaffirming the regulations that if an applicant spent one year in a reeducation camp and received training outside Viet Nam under the U.S government auspices, he/she would qualify for the U.S Refugee Program. There is no mention of the duration of the training.

Mr. Chau was in a reeducation camp for two and a half years from June 25, 1975 to January 18, 1978. He also received training for six months in the Philippines with the International Rice Research Institute (IRI) under U.S Agency For International Development (USAID) auspices. I have enclosed a copy of Mr. Chau's Release Certificate, a Copy of Mr. Chau's training certificate and a copy of USAID certification attesting to its sponsorship of Mr. Chau for the course.

The rejection of Mr. Chau's application has caused anguish to him and his wife. I would greatly appreciate your intervention with

the ODP office to rectify Mr. Chau's situation and to keep his application current for the September 30 deadline.

I am looking forward to hearing from you.

Sincerely,

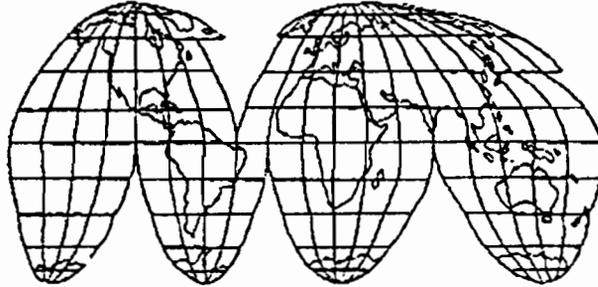
A handwritten signature in cursive script, appearing to read "Anh Davis", is written over a horizontal line.

Ngoc-Anh Davis
Senior Case Manager.

Enclosures as stated.

c.c:- Mr. Dinh Kim Chau
- Ms. Marthas Sardinias
Director of the ODP / Thailand

Agency for International Development
Center for Human Capacity Development



Fax Transmittal Form
FAX NO.

TO: (Name, Organization, & Address)	FROM: (Name, Organization, & Phone)
	Linda L. Walker
	Agency for International Development
Paul Davis	Waiver Review & English Language Officer
	G/HCD/POSS Room 215, SA-16
	Washington, D.C. 20523-1601
	703-875-4114

2
Number of Pages
RE:

8/5/94
Date

This is to confirm that Chau Kim Dinh was sponsored by the Agency for International Development from June 30, 1970 to December 19, 1970. Please don't hesitate to let me know if you have any questions.
Regards.

Command: IN CHANGE Occurrence: 17/032 SCREEN 01/02
(W) No changes were performed to a record to Process, Save or Cancel.

1 = PDF ONLY 4 = PIO/P,PDF,IAP 7 = IAP,PIO/P PTIS(H) - PARTICIPANT RECORD
2 = PIO/P,PDF 5 = IAP ONLY 8 = CANCELLATIONS
3 = PIO/P ONLY 6 = IAP,PDF 9 = C,M,U 0 = MEDCERT ONLY TABLE NO: 4

BUREAU/OFFICE: DECUNIT UNIT: REGION : 7 COUNTRY : 730
CREATE DATE : 999999 LAST UPDATED: ACTIVE SW: H INCOMPLETE:
PIOP-RC: RET-STAT: RET-DT: EI-IND:

PARTICIPANT INFORMATION

LAST NAME: DINH	FIRST NAME: CHAU KIM	
PROJECT 1 :	PROJECT 2 :	PROJECT 3 :
LAST PROJECT :	PIO/P NUMBER : 73000362	LAST PIO/P NO:
PARTICIPANT NO: 078852	BIRTH DATE :	SEX: M ETEXT:
ONBOARD DATE : 700630	EST. COMPLET.: 701230	DOCUMENT CODE: F
CONTR/AGENT : 99990	PROG/AGENT : 00	DEGREE/OBJECT: TECHNICAL
TECHNICAL CD.: 130	MAJOR/STUDY : 9600	TERMIN. DATE : 701219

INSURANCE INFORMATION

INSURANCE Y/N: MEDCERT (0/1/2):
INS. START DATE: INS. END DATE:

VISA INFORMATION

CONTROL NO.: VSEXT:
B MY JOB START DATE: END DATE: APPROVED:
LU #4

INSTRUCTIONS FOR REFUGEE REGISTRATION
U.S. ORDERLY DEPARTURE PROGRAM (ODP)

Deadline for Registration: September 30, 1994

If you wish to pursue a claim for refugee status in the U.S. and your name has not yet been submitted to ODP on a Vietnamese interview list in either the HO or family reunification subprogram, you must apply directly to ODP before September 30, 1994.

You qualify for an ODP interview if you meet the following criteria:

1. You were detained in a re-education center after April 30, 1975 because of your close association with the programs or policies of the U.S. government, and
 - you spent at least three years in a center, or you are the widow of a detainee who died as a direct result of incarceration in the center;
 - you spent one year in a center and received training outside Vietnam under U.S. government auspices; or
 - you spent one year in a center and you were also employed by the U.S. government or a U.S. private company for at least one year;
2. You worked for the U.S. government or a U.S. private company for at least five years and you have a claim to refugee status as a result of that employment.

If you meet the above criteria and your name has not yet appeared on a Vietnamese interview list, send a letter to ODP in Bangkok stating your claim. In the letter, provide the following details:

- a. The full name of the refugee applicant;
- b. The date and place of birth of the refugee applicant;
- c. The current address of the refugee applicant;
- d. If you are married, the name and date and place of birth of your spouse;
- e. If you have natural or officially adopted children, the name, date and place of birth and current place of residence of each child;
- f. If your spouse or child is a US citizen, the name, date of birth, date of naturalization and home address of that person;
- g. If you or anyone in your family has another ODP case or has ever been interviewed by US government officials under any subprogram of the Orderly Departure Program, state the "IV" and list numbers;
- h. If you were detained in re-education, state your arrest and release dates.

1) We regret we are unable to approve your application for refugee resettlement admission to the United States.

To be resettled in the United States as a refugee, an applicant must meet the statutory definition of refugee contained in section 101(a)(42) of the Immigration and Nationality Act (INA), as amended. Refugee status can be approved only if the applicant establishes a credible claim of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Additionally, all applicants for refugee status in the United States must establish that they are not precluded from entry into the United States under other sections of law.

During your interview with an officer of the United States Immigration and Naturalization Service (INS), your claim to having been persecuted or having a well-founded fear of persecution was reviewed. At that time, you were given the opportunity to present evidence, documentation, and/or an accumulation of detail through verbal testimony of the events or circumstances that support your claim of persecution or a well-founded fear of persecution. After carefully reviewing your account of these events and surrounding circumstances, it has been determined that you do not qualify for refugee status.

2) You may be eligible for Public Interest Parole (see attached letter).

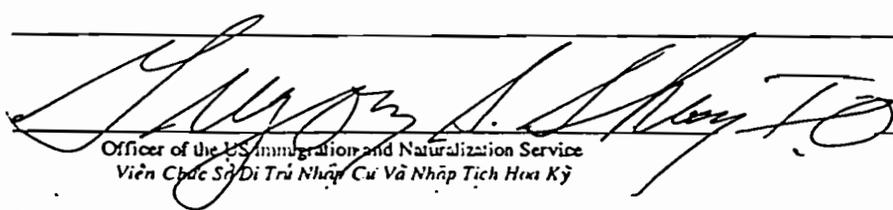
3) We are unable to approve your application for resettlement in the United States under the Public Interest Parole program because you do not meet the criteria indicated below:

3a) Married sons and daughters (of former re-education camp detainees who are eligible as refugees) must have approved petitions filed on their behalf, or on behalf of their spouse, by a sibling or closer relation who is currently residing in the United States, who is willing to pay transportation costs, and who demonstrates that he/she has the financial ability to support the parolees to ensure they do not become public charges.

3b) Former US government or private company employees who are not eligible for refugee status may be considered for public interest parole only if they have siblings or closer relations currently residing in the United States who are willing to pay transportation costs and demonstrate that they have the financial ability to support the parolees to ensure they do not become public charges.

3c) Unmarried children of former US government or private company employees who are approved as Public Interest Parolees are allowed to accompany their parents to the United States only if the children are under the age of twenty-one.

3d) not qualified for interview - last time training



Officer of the US Immigration and Naturalization Service
Viện Chức Sở Di Trú Nhập Cư Và Nhập Tịch Hoa Kỳ

22 3 MAR 1992
Date/Ngày

The International Rice Research Institute

certifies that

Chau Kim Dinh

has satisfactorily completed

The Six-Month Rice Production Training Course

Given at Los Baños, Laguna, Philippines

this 18th day of December 1970



A handwritten signature in dark ink, appearing to read "Ramon E. Pardo", is written over a horizontal line.

Head, Office of Rice Production
Training and Research

A handwritten signature in dark ink, appearing to read "Ramon E. Pardo", is written over a horizontal line.

Director

Đức Quân Pháp

M. L. L. L. L.

số: 80/5

GIẤY RA TRẠI

Căn cứ chỉ thị số 316/TTg ngày 22-08-1977 của Thủ tướng Chính phủ nước Cộng hòa xã hội chủ nghĩa Việt Nam về chính sách đối với binh sĩ, nhân viên các cơ quan chính quyền của chế độ cũ và đảng phái phản động hiện đang bị tập trung cải tạo.

Căn cứ thông tư Liên Bộ Quốc phòng - Nội vụ số _____ ngày _____ về việc thực hiện chỉ thị số 316/TTg ngày 22-08-1977 của Thủ tướng Chính phủ.

Thực hành quyết định số 111 ngày 22-08-1977 của Bộ trưởng Bộ Nội vụ.

CẤP GIẤY RA TRẠI

- Họ và tên: Châu Kim Định

Ngày, tháng, năm sinh: 10-06-1940

Quê quán: Sông Lô

Trú quán: Là 02 xã Tân Lập - Tân Kỳ - Sông Lô

Số lính, cấp bậc, chức vụ trong bộ máy chính quyền, quân sự và các tổ chức chính trị phản động của chế độ cũ: 60/12.8.72

Trung úy - Nhân viên khu công nông

- Khi vẽ, phải trực tiếp trình ngay giấy này với Ủy Ban Nhân dân và công an xã, Phường: Tân Lập thuộc Huyện,

Quận: Tân Kỳ Tỉnh, Thành phố: Tỉnh - Sông Lô

và phải tuân theo các quy định của Ủy Ban Nhân dân Tỉnh, Thành phố về việc quản chế, về nơi cư trú và các mặt quản lý khác:

- Thời hạn quản chế: Sáu tháng

- Thời hạn đi đường: 03 ngày ngày (kể từ ngày ký giấy ra trại).

- Tiền và lương thực đi đường cấp: Tiền đi phí đi về địa phương, Tiền đi lập Trang 01-1978. Tiền ăn lương thực cấp 1 tháng sau ngày ký

Ngày tháng 01 năm 1978

ĐOÀN

PHÒNG 027 CẤP HỒI
SAC V BAN QUẢN

Ngày 08 tháng 01 năm 1978


Thống

Nguyễn Trọng Tấn

1. Tóm lược - Thư của MYERS/ODP gửi cho Ngạc Anle Davs/Senior
case manager - Director of Arlington, office of resettlement (Fossilville) trả
lời cho Bà Anle Anle Davs, Kim Châu du học tại Phu. một Tôn; những
vấn đề chúng tôi cần hiểu rõ hơn về tình hình trên đất Mỹ và
tài trợ của Mỹ -

2. Thảo luận & đề nghị - Như vậy là tôi đang với các ^{hỏi} "lưu
hàng" - Đề nghị tiếp -